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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,791	01/22/2002	Katsuya Tsunogai	JP920000423US1	4276
26502	7590	12/29/2006		
IBM CORPORATION IPLAW IQ0A/40-3 1701 NORTH STREET ENDICOTT, NY 13760			EXAMINER ALAM, UZMA	
			ART UNIT	PAPER NUMBER
			2157	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		12/29/2006	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/053,791

Applicant(s)

TSUNOGAI, KATSUYA

Examiner

Uzma Alam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 October 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This action is responsive to the arguments filed October 11, 2006. Claims 1-6 and 25 are pending. Claims 1-6 and 25 represent a connection accepting system.

#### *Claim Rejections - 35 USC § 102*

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-6 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Roberts et al. US Patent No. 6,754,693. Roberts teaches a method for connecting to a server and fulfilling a request based on queue (see abstract).

As per claim 1, Roberts teaches a connection accepting system, comprising:

client terminals connected to a network (column 7, lines 1-35); and

a first server for accepting connection requests from said client terminals through said network (client requesting connection to a second computer through a network and through a server; column 7, lines 1-35),

wherein said server includes a priority order setting unit which, upon receiving a first connection request from a first client terminal of said client terminals, sets a connection priority for said first client terminal and transmits data conveying said connection priority to said first client terminal; and a connection managing unit for allowing connection of said client terminals according to connection priority upon receiving a second connection request from a second client terminal of said client terminals after said first connection request (a first request is made to the

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second computer which puts the client in a queue; column 14, lines 49-60; column 15, lines 22-57); and

said first client terminal displays connection priority information, based on said data conveying said connection priority (the queue is sent to the client and displayed on the client terminal; column 14, lines 49-60; column 15, lines 8-20; column 15, lines 61-67; column 16, lines 1-10).

As per claim 2, Roberts teaches a connection accepting system according to claim 1, further comprising a second server for executing a process according to requests from said client terminals,

wherein said first server accepts said first and second connection requests as connection requests for said second server and, when said connection managing unit allows connection of said first and second client terminals, connects said first and second client terminals with said second server (connecting the client with the second computer; column 7, lines 36-50; column 8, lines 25-42)

As per claim 3, Roberts teaches a server for accepting connection requests from client terminals through a network, comprising: a connection-order setting unit which, upon receiving a first connection request from a first client terminal of said client terminals, sets an order of connection for said first client terminal (column 14, lines 49-60; column 15, lines 22-57); and

a connection managing unit for allowing connection of said client terminals according to said order of connection, upon receiving a second connection request from a second client

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terminal of said client terminals after said first connection request (column 14, lines 49-60; column 15, lines 22-57).

As per claim 4, Roberts teaches the accepting server according to claim 3, wherein data of said order of connection set by said connection-order setting unit is transmitted to said first client terminal (client is notified of queue by the server; column 14, lines 49-60; column 15, lines 8-20; column 15, lines 61-67; column 16, lines 1-10); and

said first client terminal is caused to display connection-order information, based on said data client is notified of queue by the server; column 14, lines 49-60; column 15, lines 8-20; column 15, lines 61-67; column 16, lines 1-10).

As per claim 5, Roberts teaches the accepting server according to claim 3, further comprising a connection-number monitoring unit for monitoring a number of connectable client terminals, wherein said connection managing unit allows connection of one of said client terminals which is highest in said order of connection, after acceptance of connection of a new client terminal has become possible, based on a number of connectable client terminals obtained by said connection-number monitoring unit (the priority of the client is based on user preferences and second computer representative availability and the connection is made; column 15, lines 8-20; column 19, lines 18-67).

As per claim 6, Roberts teaches the accepting server according to claim 3, wherein a program for automatically executing said second connection request again is transmitted to said

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client terminal to which said order of connection has been set (column 10, lines 7-38; column 16, lines 40-67).

As per claim 25, Roberts teaches a computer program which is executed by a computer which accepts requests for connection from a client terminal, comprising:

a process for setting a connection priority to said client terminal when a connection request from said client terminal is accepted (column 7, lines 1-35);

a process for granting a right of connection to said client terminal according to the connection priority (a first request is made to the second computer which puts the client in a queue; column 14, lines 49-60; column 15, lines 22-57); and

a process for confirming whether a right of connection has been granted to said client terminal when a connection request is made by said client terminal and allowing connection of said client terminal when grant of the right of connection is confirmed (the priority of the client is based on user preferences and second computer representative availability and the connection is made; column 15, lines 8-20; column 19, lines 18-67).

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-6 and 25 have been considered but are not persuasive.
3. The office notes the following arguments filed October 11, 2006:

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- a. The examiner is equating the claimed "first server" with both Roberts server 20 and second computer 24.
  - b. Roberts fails to disclose the claimed "priority order setting unit" and "connection managing unit."
  - c. The queue information is displayed by the "first client terminal."
  - d. The claimed "second server" is incorrectly equated with Roberts second computer 24.
  - e. The reference Roberts does not teach the claimed "connection-number monitoring unit."
  - f. The reference Robert does not teach transmitting a "program for automatically executing said second computer request again" to the user computer.
4. In response to:
- a. The "first server" of the claimed invention is equated with the server 20 of Roberts. The "client terminals" of the claimed invention are equated to the first computer 12 and second computer 24 of Roberts.
  - b. The server 20 utilizes information to route a user to certain queues. It manages how many users are requesting connection and in what order they requested connection. This teaches the priority order setting unit and connection managing unit of the claims. See column 15, lines 21-31 and lines 29-45.
  - c. The user computer 12 receives status regarding its position in the queue through server 20 (column 15, lines 62-65). The information is displayed on the user computer, column 15, line 67.

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- d. The claimed "second server" is equated with the firewall 192 of Roberts, column 19, lines 42-55.
- e. The server utilizes database information and logic rules to route calls to certain queues and can change the queue of a user to a queue with less call requests, column 15, lines 34-45. This teaches the claimed "connection-number monitoring unit."
- f. Roberts teaches applets 22, 30 and 34 that allow the computers 12 and 24 to communicate with each other and the server. The applet 30 is notified of a call request from the user computer. See column 10, lines 25-56. These applets teach a "program for automatically executing said second computer request again."

### *Conclusion*

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



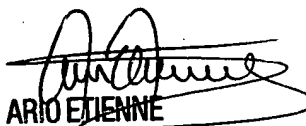
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 5:30 AM - 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Uzma Alam  
Ua  
December 13, 2006

  
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